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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,318	07/23/2004	Joon-Bae Park	P-0711	1811

34610 7590 04/01/2008

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EXAMINER	
SMITH, CHENECA	
ART UNIT	**PAPER NUMBER**
2192	
MAIL DATE	**DELIVERY MODE**
04/01/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/502,318	PARK, JOON-BAE	
	Examiner	Art Unit	
	CHENECA P. SMITH	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4 and 7-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4 and 7-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 26, 2007 has been entered. Therefore, claims 1, 2, 4, and 7-9 remain pending in this application.

2. Applicant's arguments with respect to claim 1, 2, 4, and 7-9 have been considered but are moot in view of the new ground(s) of rejection – see Iggulden et al US Patent 6,256,378 B1, art being made of record.

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

> The oath or declaration is defective because:
> It contains an incorrect statement with respect to the duty to disclose. The section that is cited is 1.56(a). However, the correct section should be 1.56. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Iggulden et al (US Patent 6,256,378 B1).

As to claim 1, Iggulden teaches a system for upgrading data of an electric home appliance, comprising:

an electric home appliance that has a built-in microcomputer (see FIGs.1 and 2, *appliance 10* and associated text),

a computer system that downloads data used to update the microcomputer of the electric home appliance via the internet (see FIGs.1 and 2, *local computer 12* and associated text, e.g. col.4 lines 40-41 and lines 50-53), converts the downloaded data into data of a binary digit form, expressed with 0 or 1 (see col.8 lines 10-12), and displays the converted binary digit data on a display device by using two colors (see col.5 lines 58-60), and

a detector which is connected with the electric home appliance (*i.e. transfer device 16*, see FIG.2 and associated text, e.g. col.6 lines 16-19), that detects the color displayed on the display device (col.5 lines 58-60), converts the color into data of binary digit form (see col.8 lines 10-12) and applies the data to the electric home appliance (see col.8 lines 7-9).

As to claim 2, Iggulden teaches the system of claim 1 wherein the electric home appliance has a built-in protocol that analyzes the data applied in the detector (see col.2 line 67, col.3 line 1, and col.4 lines 40-41).

As to claim 4, Iggulden teaches the system of claim 1 wherein the data is displayed on the display device as black and white (see col.5 lines 58-60).

As to claim 7, Iggulden teaches a system for upgrading teaches a system for upgrading data of an electric home appliance, comprising:

an electric home appliance having a communication port, which can upgrade functions of a built-in microcomputer (see FIGs.1 and 2, *appliance 10* and associated text, e.g. col.4 lines 62-65 and col.5 lines 2-4),

a computer system that downloads update data of the electric home appliance by being connected to the internet (see FIGs.1 and 2, *local computer 12* and associated text, e.g. col.4 lines 40-41 and lines 50-53), converts the update data into data of a binary digit form expressed with 0 or 1 (see col.8 lines 10-12), and which displays the converted data by using two colors of black and white (see col.5 lines 58-60), and

a detector (*i.e. transfer device 16*, see FIG.2 and associated text) which is connected with the communication port of the electric home appliance by a cable (see col.6 lines 16-19), that applies the data to the electric home appliance by detecting the black and white data displayed on the display device of the computer system (see col.5 lines 58-60 and col.8 lines 7-9).

As to claim 8, Iggulden teaches the system of claim 7 wherein the electric home appliance has a protocol that analyzes the data applied in the detector built-in (see col.2 line 67, col.3 line 1, and col.4 lines 40-41).

As to claim 9, Iggulden teaches the system of claim1 wherein the detector is attached on a screen of the display that detects the data of the update file displayed on

the display device and generates an electric signal that corresponds to the data (see col.8 lines 7-9 and col.12 lines 9-11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENECA P. SMITH whose telephone number is (571)270-1651. The examiner can normally be reached on Monday-Friday 7:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CS/
3/28/2008

/Tuan Q. Dam/
Supervisory Patent Examiner, Art Unit 2192